



MICHAEL R. PENCE, Governor  
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY  
302 West Washington Street  
Indianapolis, IN 46204

## COMMISSION MEETING MINUTES

Indiana Fire Prevention and  
Building Safety Commission  
Government Center South  
302 W. Washington Street  
Indianapolis, Indiana 46204  
Conference Center Room B

September 7, 2016

Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman Hawkins at 9:03 a.m. on September 7, 2016.

(a) Commissioners present at the Commission meeting:

Ron Brown  
Gregory Furnish  
Kevin Goeden, representing the Commissioner, Department of Labor  
John Hawkins, Chairman  
Todd Hite, representing the Commissioner, Department of Health  
James Jordan  
Matt Mitchell, Vice-Chairman  
Patrick Richard  
Jessica Scheurich  
Craig Von Deylen

(b) Commissioners not present at the Commission meeting;

James Hoch

(c) The following departmental and support staff were present during the meeting;

Legal and Code Services

Dean Illingworth, State Building Law Compliance Officer  
Denise Fitzpatrick, Code Specialist  
Todd Stearns, Code Specialist  
James Schmidt, Deputy Attorney General



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## 2. Old Business

Chairman Hawkins did not entertain a motion for approval of the August 2, 2016, minutes.

## 3. Ordinances

### Long Beach Building Code Chapter 150 Long Beach, Indiana

Chairman Hawkins noted they had revised and shortened the submission, and had taken out much of the zoning information. When asked if it was now close to the template, the Chairman replied no, but it does contain most of the information within the template. Following further discussion of the contents, wishing to allow the Board Chairman to attend as well as those citizens who would like to speak, and noting that the application was not signed, Commissioner Von Deylen moved to table, with the second by Commissioner Brown. It was voted upon and carried.

### Huntingburg Ordinance 2016 Huntingburg, Indiana

Chairman Hawkins reminded the Commission that they had approved the ordinance for a period of sixty days, and those sixty days were now up. He stated that he had found the ordinance followed the template fairly closely, though it had been rearranged for unknown reasons. He found a substantive difference in the omission of the placard for trusses, which is optional, and private elevators which are not regulated by the State. Commissioner Von Deylen then moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

## 4. Discussion of Proposed Mechanical Code Change

Mr. Patrick Keal, of Big Ass Solutions Company, Lexington, Kentucky, addressed the Commission. The company, started in 1998 serving the dairy industry, sells large ceiling fans. He explained that the changes he proposed were to: 1) Add the definition of a high volume large diameter fan 2) Add Section 929 and 929.1 which called out testing and labeling requirements in accordance with AMCA 230, and listing and labeling per UL 507 and 3) Add to the referenced standards in Chapter 15, under AMCA, add 230-CD1, and, under UL, 507. He noted that the code language has been accepted for inclusion in the 2018 IMC, recognizing new technology and standards. Mr. Keal also noted that there would be no fiscal impact since the fans are not being made mandatory and multiple manufacturers have products which meet the industry standards. His requested code changes are for safety standards to protect the public. Following discussion, it was decided to add the requested code change to the Chairman's list of chase amendments, presenting it to the Commission for their consideration and possible action.

## 5. Variances

### Tabled variances

#### A/B variances

16-05-03 3230 E. John Hinkle Place Unit B Windows, Bloomington

The application was now complete. Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-08-08(a)(b)(c) Florence Fay Senior Living, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. She stated that she wished to withdraw the application.

#### C/D/NVR variances

16-05-02 Removable Staircase Plastic Chain, Peru - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-06 South Deck Cover, Indianapolis - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-05-07 Regional Mental Health, Hammond - *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Jordan. It was voted upon and carried.

16-05-76(e)(f)(g) Emerald Acres Wedding Barn, Zionsville

Dennis Bradshaw, FP&C Consultants, spoke as proponent. Dennis Bradshaw, FP&C Consultants, spoke as proponent. The local fire official had wanted these variance applications filed to address the existing stairs which had been rebuilt. They dealt with rise and run, handrails, and the landing at the bottom of the stairs. The proponent stated that the architect had found difficulties in providing the compliant exterior stair, and that it may affect these variance applications. The beam in the end wall, when measured, was

not as high as it had been thought to have been, and the whole end of the barn would need to be reconfigured to allow the installation of a door to access the exterior compliant stair. The proponent explained that another option was to open the floor in an L-shape to access the southwest interior stairway, provide a landing and maintain headroom. Following discussion if the stair issue should be a new variance and a suggestion that the here should be a rated enclosure, Commissioner Von Deylen moved to table with the second by Commissioner Richard. It was voted upon and carried.

16-06-01 Lincolnshire Place Memory Care Facility, Ft. Wayne

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-06-02 Options for Better Living Housing Options II, Bloomington – *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Scheurich moved to table, with the second by Commissioner Hite. It was voted upon and carried.

16-06-09 Johnny's Market, Indianapolis

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-07-01 Chairlift Installation, Newtown – *incomplete*

The application was incomplete and ineligible to be heard. Commissioner Von Deylen moved to table, with the second by Commissioner Scheurich. It was voted upon and carried.

16-07-63 NASCAR Carwash, Indianapolis

The owner's attorney had requested the variance be tabled. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-02 Cluckers, Corydon

The proponent was not available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-03 St. James Gymnasium Locker Room, Lafayette

Dann Keiser, Cornerstone Design, spoke as proponent. The parochial elementary school gymnasium, a free-standing building, had been constructed in 1980, with locker rooms one level down. It is of precast concrete construction and the locker rooms had been sprinklered. The city had, during installation of new lines, disconnected the sprinkler system and had failed to reconnect it. During an inspection by the local fire official, the issue was found, and, because to reconnect and update to meet current code would be a

16-08-03 cont.

financial burden, the official suggested they install a new fire alarm system in lieu of the sprinkler system. Brian Alkire, Lafayette Fire Department, addressed the Commission. The city had no record of the existing line during their 2009 installation project and were unaware it had been missed. They had offered to connect the lines to the sprinkler system at no cost, but the backflow preventer would have to be installed. Following discussion, Commissioner Brown moved to table to allow the proponent to gather cost information, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-38(a)(b)(c) Anson Senior Living, Zionsville

The proponent was not available for questions. Commissioner Schurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-08-41 Henry Residence, Indianapolis

Tyler Crews, Crews & Sturtzs Builders, spoke as proponent. The existing bathroom was remodeled and fixtures relocated at the request of the homeowner. The request was to allow two existing leaded glass windows to be by the bathtub without safety glazing, as required by code. The home is within an historic neighborhood. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-53 Sprinklers Under Ovens, Tell City

No proponent was present for questions. Commissioner Scheurich moved to table, with the second by Commissioner Brown. It was voted upon and carried.

16-09-58 Escape Inc, Indianapolis

Nancy Long, A-1 Expeditors, and Jen Macalevy, project manager, spoke as proponents. The participants are given clues, while in a simulated bank, on how to defuse a "bomb". This particular Escape involves some physical activities which includes crawling, ducking, etc., and they are aware of this before they begin. Of the seven game areas, three of the rooms have portions of the ceiling lower than allowed by code. The building is sprinklered and a fire alarm has been installed. It was noted that an Amusement Permit would be required. There will be a control room to monitor the players, ten to a group, while they are in the game areas. Each room will have a compliant exit, and a panic button to release the "secret door". Directions as to the operation of the panic button are given before the game begins. Following discussion, Commissioner Von Deylen moved to approve with the condition that all exits comply with code, a control room with active surveillance will be provided, no more than ten occupants per suite of rooms, no alcohol is to be allowed. Commissioner Scheurich made the second. It was voted upon and carried.

16679 Entrance Chair Lift, Cambridge City - incomplete  
16829 PNC Tower, Ft. Wayne - incomplete  
16812 Plant 1, Russiaville - incomplete

Commissioner Scheurich moved to table the incomplete variances, with the second by Commissioner Jordan. It was voted upon and carried.

16959 Muscatatuck Camp, North Vernon

Dan Corbin, camp director, spoke as proponent. Proof of notification of the local building official was given to staff to complete the application. The three buildings at the camp had been constructed ten years ago without a CDR or building permits, and they are now in the process of correcting this. The request was to omit sprinklers in two cabins called for by Plan Review, each one level with concrete floors and two exits. The camp is in a rural setting with well water. There had also been a condition for a fire alarm system on the CDR, and they were requesting to omit the system in all three buildings. Following discussion, Chairman Hawkins felt the request should have been for the code of record to be the code in effect when the buildings were constructed and not the current code as used by Plan Review. Following discussion of what was needed from the proponent, Commissioner Mitchell moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

### Regular Variance

#### A/B variances

Chairman Hawkins noted a request had been made to pull 16-09-14 Elkhart County Old Jail, Goshen, and 16-09-50 Oaklawn Elementary School, Monticello, and a request for a separate question on 16-09-13 Days Inn, Jasper and 16-09-57 McDonald's W. 38<sup>th</sup> ACI, Indianapolis. He then called for any other variances in the block vote to be called out. Commissioner Mitchell moved to approve all eligible "A" and "B" variances, with the second by Commissioner Scheurich. It was voted upon and carried.

The following variances were approved as submitted:

16-09-09 Indiana Convention Center, Indianapolis  
16-09-10 Time Out Room, Richmond  
16-09-11 49<sup>th</sup> Street, Lawrence  
16-09-12 Ransom Place Site C Apartments, Indianapolis  
16-09-15 Van Nuys Medical Sciences Renovate MA for Drug Discovery, Indianapolis  
16-09-16 Perry Meridian High School, Indianapolis  
16-09-17 Remodel 7UP/Snapple Building UPS, Indianapolis  
16-09-18 500 Park Avenue Residences, Indianapolis  
16-09-19 21 West, Indianapolis  
16-09-20 Twin Lakes High School, Monticello  
16-09-21 Crestmont Boys and Girls Club, Bloomington  
16-09-22 Winter House Apartments, Indianapolis

16-09-23(a)(b)(c) Cambria Hotel, Indianapolis  
16-09-24 Windmoor Study Center, South Bend  
16-09-25 Sullivan Building Bloomington  
16-09-26 Highland Quarters, Terre Haute  
16-09-27 Boone County Tennis Center, Zionsville  
16-09-28 Kennard Senior Apartments, Kennard  
16-09-29(a)(b) Perry Meridian HS Inst Ath Fac Improv 2, Indianapolis  
16-09-54 Bloomington Animal Care and Control, Bloomington  
16-09-60 The Legacy at Hearthstone Health Campus, Bloomington  
16-09-61 FSFH Columbus Specialty Practice, Columbus

The following variance had been called out for a separate question:

16-09-13 Days Inn Jasper, Jasper  
16-09-57 McDonald's W. 38<sup>th</sup> ACI, Indianapolis

Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay by Commissioner Brown.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission for a brief break.

C/D/NVR

16-09-02 Indiana Grand Stables, Shelbyville

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-03 Spring Velley Camp Pool, Middletown – incomplete

The application was incomplete and ineligible to be heard. Commissioner Furnish moved to table with the second by Commissioner Brown. It was voted upon and carried.

16-09-05 The Event Center, Roanoke

Kyle and Brenda Kitt, owners, spoke as proponents. And existing building had been changed from a retail to assembly use. The request was to allow the proponent to install a monitored alarm system in lieu of the required sprinkler system. They are on a well and had been given an estimate of \$90,000 for installation of a sprinkler system, with an additional \$30,000 for the commercial system. They had been given an estimate of \$180,000 by the city to extend municipal water to their facility. The facility was a steel quonset hut, constructed in 1954, with metal arches and galvanized, 2 foot on center with dry wall. Two new restrooms had been installed. The facility had a 600 square foot mezzanine to be used as a brides' room. The occupancy had been calculated at 175, and no kitchen area is provided. The renters will be responsible for any liquor licenses required as the proponents will not carry one. They would install a

shunt trip connected to the alarm system at the recommendation of the installer. There is egress lighting and exit signs in place. A fire wall separates the assembly space from the remainder of the building. Commissioner Von Deylen moved to approve with the condition that there is no cooking in the space and a shunt trip is provided with the alarm system. Commissioner Jordan made the second. It was voted upon and carried with one nay.

#### 16-09-06(a)(b) Columbus 4<sup>th</sup> Ward, Columbus

David Snapp, Snapp and Associates Architects, spoke as proponent. Harold Saddiston, builder representative, was also present. Variance (a) was for a cross slope in the sidewalk, cited by the local inspector at the final inspection for occupancy, for being 1/10% to 1/2% off level. Commissioner Brown moved to approve (a), with the second by Commissioner Von Deylen. It was voted upon and carried.

Variance (b) was to allow the stoop to exceed the slope by 2%. To correct the height issue, 20 feet of 10 foot wide sidewalk would have to be torn out and replaced to provide the 3/4" change in height for the non-compliant north stoop. The accessible entrance is on the west side of the building. Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

#### 16-09-07 The Barn, West Baden

Gina Burton spoke as proponent. The facility had five more weddings booked until the end of the year. The building is in escrow and the funds aren't available for the upgrades the local officials want done. A fire watch had been arranged for the last event, and the request was to allow a fire watch for each of the remaining weddings. He had turned the cited doors around, installed exit lighting and signage. The slab-on-grade building had been built ten years ago and had been used for storage. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried.

#### 16-09-08 Acoustical Laboratories Hemi-Anechoic Chamber, Indianapolis

Elliott Berger, 3M, spoke as proponent. The request was to omit sprinklers in the new laboratory chamber of 74x19x12 feet, to prevent the chance of sound from the vibrational pathway which would negate their efforts to make a quiet space. The chamber is an 8" thick concrete structure with a 9" concrete ceiling on a concrete slab, sitting within the acoustic laboratory. This chamber is divided into a test space and a control room. The test chamber is an empty area lined with foam, flame specifications submitted with the application, and separated from the control room by a steel door. There are two other acoustical chambers at the facility, both of which have been granted similar variances. The local fire official does not object. Sprinklers will be located above and around the concrete structure. Commissioner Brown moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

#### 16-09-14 Elkhart County Old Jail, Goshen

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to not provide any hoses or caps on the existing Class II standpipe system. The caps had been removed years earlier, and now, with the jail no longer located in this portion of the building, the cost to reinstall them was thought to be an unnecessary expense. The firefighters will be using the Class I standpipes located in the stairwells. Following discussion, Commissioner Brown moved to approve with the condition that caps be provided for the discharge outlets, with the second by Commissioner Von Deylen. It was voted upon and carried.



16-09-30 McDonalds Indianapolis Store #12354, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The facility was to add 440 square feet in a renovation to meet corporate designs. The occupant load was now calculated at 111 persons, which would require sprinklers. The request was to omit sprinklers as required by code. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried with one nay.

16-09-31 The Gymnastics Company, Indianapolis

Dennis Bradshaw, FP&C Consultants, spoke as proponent. A mezzanine is served by a 48" wide stairway. This was cited by the City of Indianapolis Plan Review as failing to have an accessible means of egress. They considered it a part of the first floor, and stairs were not allowed to be considered a part of an accessible means of egress. The request is to allow this stairway to serve the mezzanine as part of the accessible means of egress. There is no elevator access to the mezzanine. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried.

16-09-32(a)(b)(c) Taghleef Line 71 Expansion, Rosedale

Scott Perez, Arxtheon, spoke as proponent. The request in (a) was to allow a portion of the south wall of an existing building to be removed, with smoke and heat vents and draft curtains to not be replaced. The new addition will provide an ESFR system. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried. Variance (b) was a request to allow the ventilation fans to dissipate some of the heat generated in the manufacturing process instead of complying with the Energy Code. Commissioner Von Deylen moved to approve, with the second by Commissioner Furnish. It was voted upon and carried. Variance (c) was to omit smoke and heat vents over the ESFR system. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-33 Cummins Indianapolis Distribution Headquarters, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow a sculpture to be installed in the lobby which would create an obstruction to the sprinkler system pattern which was over the 4 foot wide limit called out in code. The sprinkler design has been done with the obstructions in place. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-09-34(a)(b)(c)(d)(e) The Old Barn, Ft. Wayne

Ed Welling, architect, spoke as proponent. Owners Lisa and Phil Huff were also present. The barn, built in 1848, had been renovated by the owners for their daughter's wedding. After interest was expressed in renting the barn, the owners went to the county and had the zoning changed to allow them to use it as an event center. An inspection by the State found compliance issues, and the architects were then hired. Variance (a) was to allow the existing 1x4 and native 2x4 partitions to be used. Stairways will have 1-hour partitions. Following discussion, Commissioner Von Deylen moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried with one nay. Variance (b) was to allow portable toilets and sanitation units to be used in lieu of compliant facilities. Located in a rural setting, no water or

sewer is available at the site. The county allowed them to use portable facilities or toilet trailers for their events. Access to public water is expected to be available to them within two to five years. Following discussion, Commissioner Von Deylen moved to approve until September 7, 2019, with the condition that self-sufficient toilet facilities with handwashing provisions be used, and all building fixtures have compliant sanitary outlets. Commissioner Hite made the second. It was voted upon and carried. Variance (c) was to omit the sprinkler system as required by code. The expected cost for sprinkler installation only in the barn is over \$160,000. The cost to provide water lines, when available, will be an additional expense. Additional exits and stairways have been provided for egress. A fire alarm system with smoke detectors will also be provided. Commissioner Von Deylen moved to approve for three years, with a second by Commissioner Scheruich. It was voted upon and carried with two nay. Variance (d) was to allow the barn's existing roof to remain. The original wood shingles over original 1x4 wood board sheathing is covered by a standing seam metal roof. Commissioner Von Deylen moved to approve, with the second by Commissioner Jordan. It was voted upon and carried with one nay. Variance (e) was to allow reduced ceiling height in the bottom of the stair from the second to third floor, and in the storage/prep area due to existing heavy timber. Following discussion, Commissioner Von Deylen moved to approve with the condition that beams be visibly marked and emergency lighting be provided. Commissioner Scheurich made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 12:00p.m. It was called back to order at 1:20 p.m.

#### 16-09-31 The Gymnastics Company, Indianapolis

Chairman Hawkins wished to revisit this variance. During break, he had done some research and had felt that the terms accessible space and accessible means of egress may have been confused. Since the restroom is constructed to accessibility requirements of Chapter 11, to assume it must be on an accessible route is incorrect. The mezzanine does not have elevator access, so it is not an accessible space. Jeff Dean, City of Indianapolis, also discussed the terms and interpretations. Commissioner Von Deylen moved to rescind approval of variance 16-09-31 The Gymnastics Company, with the second by Commissioner Hite. It was voted upon and carried. Commissioner Von Deylen then moved no variance required, with the second by Commissioner Mitchell. It was voted upon and carried.

#### 16-09-35(a)(b) Plainfield Business Center 2, Plainfield

Christina Colleston, /RTM Consultants, spoke as proponent. Variance (a) is to allow the building, located 51 feet, to be less than the required 60 feet to the property line. The access road which leads to another warehouse does not have an access easement. Following discussion, Commissioner Jordan moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried. Variance (b) is to allow a non-compliant fire department access road. The fire department is aware of the condition and do not object. Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

16-09-36(a)(b)(c)(d)(e) Florence Fay Senior Living, Indianapolis

Melissa Tupper, RTM Consultants, spoke as proponent. This project is a change of use from a school to a senior living apartment. Variances (a), (b), (c), and (e) had been eligible for the block vote. Commissioner Von Deylen moved to approve, with the second by Commissioner Hite. It was voted upon and carried. Variance (d) was to request 18 points in the Fire Safety Column of the Chapter 34 analysis, 29 points in the Means of Egress column, and 29 points in the General Safety column in order to pass the analysis. An NFPA R13 sprinkler system is being installed with fire alarm system and smoke detection throughout. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-37 IPS John Marshall Transportation/Maintenance Relocation, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow the former vocational arts area to be occupied by the IPS transportation department under Phase I and the maintenance department under Phase II without complying with all requirements of the GAR for change of use. Some ventilation and exhaust systems are being replaced to update the areas. Sprinklers will be provided for the carpentry, paint booth and woodshop areas when they are occupied. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-38 Hancock County Memorial Building Chairlift, Greenfield

Ed Rensink, RTM Consultants, spoke as proponent. The building, constructed in 1926, is installing a chairlift at the suggestion of the Veterans Service officer to allow the veterans to better access the building in order to use its services. The request is to allow the 48 "width of the stair to be reduced to a non-compliant 41½ " in certain areas when the chair is being used. Following discussion, Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-39(a)(b)(c)(d) Meadowlawn Elementary School, Monticello

Carrie Ballinger, RTM Consultants, spoke as proponent. Variances (b), (c), and (d) had been eligible for the block vote. Commissioner Von Deylen moved to approve all three, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (a) was a request to allow two existing exit doors serving classrooms on the south end of the building to be closed off during construction. Following discussion, Commissioner Von Deylen moved to approve if the dead-end corridor is shortened as much as possible until December 31, 2017. Commissioner Scheurich made the second. It was voted upon and carried.

16-09-40(a)(b) First Christian Church, Shelbyville

Tim Callas, J&T Consulting, spoke as proponent. Variance (a) was a request to allow a three-story A-3 occupancy narthex addition to be of Type V-B construction. The original building was of Type V-B construction. Variance (b) was a request to omit the sprinklers and the 2-hour separation. Public water is not yet available, affecting the current ability to sprinkle. Following discussion, Commissioner Von Deylen moved to approve both (a) and (b). Commissioner Furnish made the second. It was voted upon and carried with one nay.

16-09-41 Ruth's Garden, Nashville

Melissa Tupper, RTM Consultants, spoke as proponent. An existing retail shop in downtown Nashville would like to include a sandwich and tea area, but there are no restrooms in the building. Code requires restrooms to be available if seated food service is provided, but there is not enough room in the shop to comply. The request is to omit the restrooms. There are accessible restrooms within 500 feet. She would post that there are no public restrooms. Following discussion, Commissioner Scheurich moved to deny, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-42 Marott Center Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. A four story addition is being made to a five story building. An existing masonry wall is being used to meet the 3 hour fire wall requirement. Code requires the fire wall terminate a minimum of thirty inches above the lower level. The request is to allow existing opening on the fifth floor which overlook the roof of the four-story addition to be non-rated, protected with sprinklers, and remain in place. Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried. Commissioner Von Deylen abstained.

16-09-43 LaSalle Elementary School Fire Alarm, Mishawaka

Christina Collester, RTM Consultants, spoke as proponent. The request is to allow a fire alarm system to be replaced in an existing elevator without bringing the Phase I and II recall up to current code. The elevator complies with its code of record and with ASME 17.3. The Director of Elevators does not object so long as nothing on the elevator has been altered. Following discussion, Commissioner Mitchell moved no variance required, with the second by Commissioner Von Deylen, Tom Hendricks, Chief Inspector of Elevator and Amusements, advised the Commission that he was told they took out the old interface panel and put a new one in, changing how the elevator works. The no variance required motion was rescinded. Commissioner Von Deylen moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried,

16-09-44 PFM Car and Truck Care, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow an addition, separated by a three hour fire wall, to be within 500 feet of a fire hydrant in lieu of a compliant 400 feet. Margie Bovard, Indianapolis Fire Department, opposed the variance. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-45 Treehouse of Sport, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. A play structure is to be installed in a new sports park, and they have been told it is a Class 1 structure. The request is to allow the Tree of Sport play equipment to be exempted from requirements of a Class 1 or 2 structure. The equipment will be installed outdoors. Commissioner Richard questioned if playground equipment was considered a Class 1 structure. CPSC guidelines must be followed for playground equipment safety, requiring railings and such. Dean Illingworth, State Building Law Compliance Officer, addressed the Commission. He noted that Christina had brought this to him, and they had agreed it was a Class 1 structure. He made that decision based on the fact that it is being enclosed by some other element. It is not just a piece playground equipment. All

of the brown area is enclosed by some type of skin. Jeff Dean voiced concern that if it were deemed no variance required, then there were no requirements and what if the skin turned the structure into a torch in thirty seconds. Following a lengthy discussion, Commissioner Von Deylen moved no variance required, with the second by Commissioner Richard. It was voted upon and carried.

16-09-46 North Lockerbie Lofts, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. An irrigation closet had been installed in a stair enclosure at the request of the owner, facing into the courtyard. Openings into the enclosure are not allowed by code except from regularly occupied areas. The request is to allow this opening. It will be protected by a 90 minute door and will have a sprinkler in the 39 square foot room. Commissioner Brown moved to approve, with the second by Commissioner Von Deylen . It was voted upon and carried.

16-09-47(a)(b)(c)(d)(e)(f) Vincennes University Mock Mining Facility, Ft. Branch

Ed Rensink, RTM Consultants, spoke as proponent. At the first presentation of the variance, the Commission had granted the application with the condition that twice the required emergency lighting be provided. The other that the facility be used only for training miners. The university has since asked to allow police, firefighters, and other safety personnel to use the facility for training purposes. They now resubmit the variances previously granted, adding the emergency lighting condition in the variance body and changing the requested personnel allowed to use the facility to include public safety professionals, police and firefighting personnel for training and simulations. Commissioner Von Deylen moved to approve all, with the second by Commissioner Mitchell. It was voted upon and carried.

16-09-48 Geiger Tank, Markle

No proponent was available for questions. Commissioner Scheurich moved to table, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-50 Oaklawn Elementary School, Monticello

Carrie Ballinger, RTM Consultants, spoke as proponent. Commissioner Brown had called out the variance for a question. He asked if she were requesting to omit sprinklers and to omit the fire wall. He felt she was omitting everything and offering nothing. She noted they were building a new fire barrier.. Chairman Hawkins noted that, in this case, by adding a column and a beam next to this wall, she would have a cantilevered masonry wall and would not need a variance. The question now becomes why can't you put a column and beam there, he asked. Further discussion included the glass blocks in the existing wall. It was noted that the glass block had already been covered over by drywall. Commissioner Von Deylen moved to approve if the blocks were sealed with at least a one-hour barrier on the existing side. Commissioner Mitchell made the second. It was voted upon and carried.

**Breaking and reconvening.** Chairman Hawkins recessed the Commission at 2:58 p.m. It was called back to order at 3:10 p.m.

16-09-51 Washington County Memorial Hospital, Salem

Drew Hermon and Tim DeWitt spoke as proponents. The facility is removing their emergency underground tank for their backup generator and replacing it with an above ground tank. The hospital wanted to place the new tank in the old location of the underground tank, but it was too close. The request is to allow the tank to be placed at 5 feet from the right of way instead of the required 10 feet. Bollards will be installed. Commissioner Scheurich moved to approve, with the second by Commissioner Von Deylen. It was voted upon and carried.

16-09-52 Wine Down Container Bar, Ft. Wayne

Dennis Bradshaw, FP&C Consultants, spoke as proponent, Code requires guards when equipment requiring servicing are placed closer than 10 feet of the edge or open side of a building. The request is to omit the guards. The facility was originally a shipping container which had been modified, and changed into a bar and grill. There is a hood and exhaust fan on the roof which can be reached without going on the roof. Commissioner Jordan moved to approve with the second by Commissioner Von Deylen . It was voted upon and carried.

16-09-55(a)(b)(c) 632 MLK Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) had been eligible for the block vote. Commissioner Scheurich moved to approve, with the second by Commissioner Jordan. It was voted upon and carried. Variance (b) was to allow the sliding door threshold in several Type B apartment with balconies to not comply with the ¾ inch height requirement. A beveled transition strip at a 1:12 slope would be provided upon request. Commissioner Richard moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (c) was for door clearance. The telecom and utility doors in the corridors do not comply. The doors are normally locked. Commissioner Mitchell moved to approve, with the second by Commissioner Richard. It was voted upon and carried..

16-09-56 Hall Render Killian Heath and Lyman, Indianapolis

/Christina Collester, RTM Consultants, spoke as proponent. An open stair connecting three stories is surrounded on three sides by walls, but the front of the stair is open and a draft stop is required. The office has a number of men well over 6'6", and it was feared they would hit the draft stop if it were the required 18". The request is to allow it to be 12". Commissioner Mitchell moved to approve, with the second by Commissioner Brown. It was voted upon and carried.

16-09-59 The Switchboard, Indianapolis

Carrie Ballinger, RTM Consultants, spoke as proponent. An historic church was being converted into an office. There are three existing second floor areas which are not connected, and an

attempt is being made to connect them to allow flow between the areas. The area over the carriage house is lower than the rest of the second floor areas. Two new stairs have been added, but the distance between them is not code compliant. Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

#### 16-09-62 The Asylum Haunted House, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. This variance had been granted last year, with the condition that it would be for one year. This is the same variance request with the same layout at the same location at the fairgrounds, with four trailers and an existing building. The only change is that they are requesting this variance be annual as long as the layout remains the same. Commissioner Brown asked if the 100 persons at one time limit from last year's application will be a part of this application, not having heard it read from the list of items on the current application. The proponent did not recall the 100 person limit. Commissioner Brown moved to approve contingent upon the conditions the proponent just made, limiting it to 100 persons at any one time, and effective through December 31, 2018. Commissioner Richard made the second. It was voted upon and carried with one nay.

#### 16-09-63(a)(b) NMC Infrastructure Improvements, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Work is being done to the freight elevator and the dumbwaiter. There are pipes in the dumbwaiter hoistway, but well out of the way of the cab, so the request is to leave them in the hoistway. Tom Hendricks, Chief Inspector of Elevator and Amusement Division, addressed the Commission. The freight elevator has mechanical interlocks on all the doors on all the floors, while a newer elevator has electronic interlocks. They are not changing the hoistway on the existing freight elevator, so as long as the mechanical interlocks work properly, he was not opposed to that. The proponent noted that the scope of the freight elevator was different because they were replacing the control equipment but not working on the cab or hoistway. They will make sure the doors to the mechanical room have locking hardware. Proposed conditions listed for (a) by Mr. Hendricks were that the machine room door be locked and confirm that all mechanical interlocks operate properly. Commissioner Richard moved to approve with the listed conditions, with the second by Commissioner Mitchell. It was voted upon and carried. Commissioner Mitchell moved to approve variance (b) with the second by Commissioner Richard. It was voted upon and carried.

#### 16-09-64(a)(b) Baca Hart, Elkhart

Melissa Tupper, RTM Consultants, spoke as proponent. The facility is a skill and training development center for people with autism. Variance (a) is to allow the training bathroom, used to teach personal hygiene skills to the students, to not comply with accessibility requirements. They want the students to train in a room which looks like bathrooms found in most homes. Variance (b) is for the training apartment used to train them how to function in a home setting. The request is to not meet accessibility requirements in the apartment, but to be a Type B

apartment. Commissioner Brown moved to approve both (a) and (b), with the second by Commissioner Hite. It was voted upon and carried.

#### 16-09-65 Hyde Park Restaurant Mezzanine Temporary Egress, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. This is the former Illinois Building, constructed in 1926. The Hyde Park, one of two restaurants on the first floor, which is utilizing the mezzanine. The request is to allow an increased common path of egress travel during construction. The central stair to the second floor will be under construction until the end of November, with the restaurant set to open in October. They are requesting to have access to the rear exit until the stair construction is complete. Commissioner Mitchell moved to approve until November 30, 2016, with the second by Commissioner Richard. It was voted upon and carried.

#### 16-09-66 BL608 ISAT Hall Room 032 New Physics Machine Shop, Bloomington

Dave Cook, Ralph Gerdes Consultants, spoke as proponent. This academic building, constructed in 1969, at one time had a machine shop on the first floor. It was at one point moved elsewhere, and is now being returned to the building. They are removing all of the fireproofing applied back in 1969, and will be sprinklering the area. Commissioner Brown moved to approve, with the second by Commissioner Scheurich. It was voted upon and carried.

#### 16-09-67(a)(b) West Bridge Church Youth and Kids Addition, Danville

Melissa Tupper, RTM Consultants, spoke as proponent. Variance (a) was eligible for the block vote. Commissioner Scheurich moved to approve, with the second by Commissioner Mitchell. It was voted upon and carried. Variance (b) was to omit sprinklers in the addition of Type II-B construction. The existing, rural structure is not sprinklered, and will be separated from the addition by a 2-hour fire wall. Smoke detection and fire alarms will be installed throughout the addition. Commissioner Jordan moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

#### 16-09-68(a)(b)(c) Central Lutheran School Additions and Renovation, New Haven

Ed Rensink, RTM Consultants, spoke as proponent. Variance (a) was for the occupant load in the pre-K, kindergarten, and first grade classrooms with a single means of egress. The request was for an occupant load calculation of thirty to be applied based on the Schoolhouse Planning rules and the Department of Health rules. It was noted that the Schoolhouse rules and Department of Health rules may not be an accurate reference. Commissioner Mitchell moved to approve, with the second by Commissioner Richard. It was voted upon and carried. Variance (b) was to allow a connector to be added to the existing building which is over area by current code. Commissioner Jordan moved to approve, with the second by Commissioner Mitchell. It was voted upon and



carried. Variance (c) was for a 2-hour fire barrier. Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

#### 16-09-69 South Newton Jr-Sr High School Office Renovation, Kentland

Ed Rensink, RTM Consultants, spoke as proponent, Ceiling pads and new LED lighting is being installed, and old partitions are being replaced with metal stud and drywall partitions. The request is to allow the corridor walls to go back into the same place, just with new construction and without having to take them up through the ceiling and providing a rated corridor wall. The code of record did not require rated corridors. Commissioner Mitchell moved to approve, with the second by Commissioner Hite. It was voted upon and carried.

#### 16-09-70 Nightmare on Main Street Haunted House, Kendallville

Tim Callas, J&T Consulting, spoke as proponent. An existing building had been prepared for use as a haunted house, but funds were not available for installing a sprinkler system. The request is to allow the building to be used until 2018 to allow the owner to get established, at which time sprinklers will be installed. The facility will be open from the last of September to the end of October. The proponent had stated that a fire watch at double the requirement will be provided, three groups at six per group to be inside at one time, 14 staff present with flashlights, twelve fire extinguishers provided, all halls at least 36 inches wide, and all combustible walls have fire retardant applied. Commissioner Brown moved, under these conditions, to approve the variance from September 23, 2016 to October 31, 2016. Commissioner Richard made the second. It was voted upon and carried with one nay.

#### 16-09-71(a)(b)(c)(d) Wabash Landing Apartments, West Lafayette

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variances (a), (b), and (c) were eligible for block vote. Commissioner Furnish moved to approve, with the second by Commissioner Hite. It was voted upon and carried, Variance (d) was to allow the amenities area on the first floor of the building to provide a male and a female restroom with a single toilet fixture, assuming the residents would use their own facilities instead. Commissioner Brown moved to approve with the second by Commissioner Richard. It was voted upon and carried.

#### 16-09-72 Toyota LS Rail Building Expansion, Princeton

Ed Rensink, RTM Consultants, spoke as proponent. An addition was being made to the logistic services building, with limited renovation to the existing building. Two new toilet stalls are being created within an existing restroom. The request was to allow these to be ambulatory accessible

restrooms. The area being served is occupied by physically capable personnel. Commissioner Brown moved to approve, with the second by Commissioner Mitchell. Chairman Hawkins noted the ADA warning language needed to be included in the letter. It was voted upon and carried.

#### 16-09-73 Lake County Purdue Extension, Crown Point

Ed Rensink, RTM Consultants, spoke as proponent. This was a request to omit sprinklers under the canopy on the front of the building. The building is fully sprinklered. Commissioner Mitchell moved to approve with the condition that nothing combustible is stored under the canopy. Commissioner Richard made the second. It was voted upon and carried.

#### 16-09-74 The Oliva on Main, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow a horizontal sliding door in the amenities area from the lounge to the game room to not be power-operated. Commissioner Brown moved to approve, with the second by Commissioner Richard. It was voted upon and carried.

#### 16-09-75(a)(b)(c) SR32 Distribution, Lebanon

Christina Colleter, RTM Consultants, spoke as proponent. Variance (a) is to allow the travel distance to the restroom to exceed code in the warehouse area. The occupants are on forklifts. Commissioner Brown moved to approve (a) with the second by Commissioner Furnish. It was voted upon and carried. Variance (c) is to allow the sprinkler pattern to be over the allowed five feet from the wall due to an offset in the wall. Commissioner Mitchell moved to approve (c) with the second by Commissioner Brown. It was voted upon and carried.

**Due to technical issues, the recording stops at this point. The balance of the minutes are from information taken in the form of notes by staff members in attendance.**

16-09-75 cont. Variance (b) was to allow high-piled storage of tires without the 2-hour separation required by code. ESFR sprinklers are provided throughout the storage areas of the building. A motion and second was made to approve. It was voted upon and carried.

#### 16-09-76 Hanna Avenue Real Estate, Indianapolis

A variance submitted by Tim Callas, J&T Consulting, requested to omit fire access doors on the west side of the building which does not have high-piled storage due to the rail system in that area. The facility has an ESFR sprinkler system. A motion that no variance was required was made and seconded. It was voted upon and carried.

16-09-77(a)(b) Blossom Chevrolet, Indianapolis

A variance submitted by Harry Chase, Blossom Chevrolet, requested in variance (a) to allow building to be more than 400 feet from a fire hydrant. They do not wish to install a hydrant. Variance (b) was to allow remodel work and an addition without upgrading the fire wall to be structurally independent. A motion was made and seconded to table both variances.

16-09-78 Eastlawn Elementary School, Burnettsville

A variance submitted by Carrie Ballinger, RTM Consultants, requested to allow the addition of a vestibule/lobby which would put the building over area for Type II-B construction and add to the fire area of an existing non-sprinklered E occupancy. The addition will be of noncombustible materials and will be primarily for pedestrian traffic without fire load. A motion and second was made to approve the variance. It was voted upon and carried.

16-09-80 Wayne Street Remodel, Ft. Wayne

A variance submitted by Mike Christoffersen, Architectural Designs, was a request to allow the clear space at each fixture to not comply with the T-shaped space within a 60 inch square. The room is constructed in an area measuring 7'x5' in a 130 year old residential brick building in an historic district. The space is to be used as a personal restroom and not by the general public. A motion and second to approve was made, voted upon and carried.

16-09-81 Whiteland Community High School Seclusion Room, Whiteland

16-09-82 Grassy Creek Elementary Seclusion Room, Greenwood

16-09-83 Clark Elementary School, Franklin

The variances, submitted by Philip Martin, were a request to allow a seclusion room with a constant pressure mag lock to be constructed in each school. Once the pressure on the lock button is released, the door is open and the student can exit the seclusion room. A motion and second to approve were made for all three variance applications. They were voted upon and carried.

6. Discussion of IBC 3412.4.1 Non-Rule Policy

No information available.

7. Discussion of variance 16-07-68 1100 Barker, Michigan City

An appeal of the variance had been filed by the local fire official Kyle Kazmierczak, Michigan City Fire Department. He did not appear to speak. The Commission did not change their original decision.

8. Discussion of Elevator Mechanic Test

Tom Hendricks, Chief Inspector of Elevators and Amusements, had described the process through which the committee, comprised of 2 union members, 2 non-union members, 2 state inspectors, Dean Illingworth, and Tom Hendricks, had gone to establish criteria for the Elevator Mechanics Test for the Commission to consider. It was to be a 4-hour multiple choice exam with 160 questions over 4 areas, and would be proctored by state officials. The test would be held twice a year or more often if needed. The test will be listed on the October 4, 2016 agenda for public input.

9. Presentation by Michael Corey, Bart Geisler

No information was available.

10. Publication of Intent to Adopt Notices

No information was available

11. Comments

No information was available

12. Adjournment

Approved: \_\_\_\_\_  
John Hawkins, Chairman